

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WAYNE LAMARR HARVEY,

Case No. 23-10049

Plaintiff,

F. Kay Behm

v.

United States District Judge

CHARLES JAMSEN, *et al.*,

Curtis Ivy

United States Magistrate Judge

Defendants.

**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE'S DECEMBER 19, 2023
REPORT AND RECOMMENDATION (ECF No. 48)**

Currently before the Court is Magistrate Judge Curtis Ivy's December 19, 2023 Report and Recommendation. (ECF No. 48). Magistrate Judge Ivy recommends that Defendants' motions for summary judgment (ECF Nos. 23, 35, 43) be granted. (ECF No. 48). The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge's recommended disposition. Therefore, the court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and

Recommendation (ECF No. 48), **GRANTS** Defendants' motions for summary judgment (ECF Nos. 23, 35, 43), and **DISMISSES** the complaint without prejudice.

SO ORDERED.

Date: January 16, 2024

s/F. Kay Behm

F. Kay Behm

United States District Judge